

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF INDIANA
FORT WAYNE DIVISION**

JEANNE WOODS,)	
)	
Plaintiff,)	
)	
vs.)	CASE NO.
)	
MENARDS,)	
)	
Defendant.)	

NOTICE OF REMOVAL

Comes now Defendant, Menards (“Defendant”), by counsel, pursuant to 28 U.S.C § 1446, and respectfully files its Notice of Removal,¹ removing this cause from the Allen Superior Court to the United States District Court for the Northern District of Indiana, on the basis of diversity. In support of its Notice of Removal, Defendant states as follows:

1. On November 12, 2021, an action was commenced by Plaintiff, Jeanne Woods (“Plaintiff”), in the Allen Superior Court, entitled *Jeanne Woods v. Menards*, Cause No. 02D03-2111-CT-595. A true and accurate copy of the Allen Superior Court’s Chronological Case Summary, obtained from MyCase, is attached as Exhibit “A.” A true and accurate copy of Plaintiff’s Complaint is attached as Exhibit “B.” A true and accurate copy of the Appearance of Michael Busching for Plaintiff is attached as Exhibit “C.”

2. On December 1, 2021, Plaintiff filed an Amended Complaint for Damages, a true and accurate copy of which is attached as Exhibit “D.”

¹ At the time of the filing of this Notice of Removal, the Defendant has paid the required filing fee.

3. Neither Plaintiff's Complaint nor Plaintiff's Amended Complaint has been properly served on Defendant. Defendant became aware of Plaintiff's lawsuit on or about April 12, 2022, when Plaintiff's counsel emailed the Complaint to Defendant's third party administrator. However, proper service has not yet been achieved.

4. On April 14, 2022, Karl Veracco and Eric Blume appeared for Defendant. True and accurate copies of the Appearances are attached as Exhibits "E" and "F," respectively.

5. On April 14, 2022, Defendant filed its Answers to Plaintiff's Amended Complaint and Jury Demand, true and accurate copies of which are attached as Exhibits "G" and "H," respectively.

6. Plaintiff is a citizen of Indiana.

7. Defendant is a Wisconsin corporation with a principal place of business in Wisconsin. Therefore, the Defendant is a citizen of the state of Wisconsin.

8. Accordingly, there is complete diversity between the parties.

9. Further, the amount in controversy exceeds \$75,000.

10. Accordingly, this case is one over which this Court has original jurisdiction under the provisions of 28 U.S.C. § 1332 and is one which may be removed to this Court by Defendant pursuant to the provisions of 28 U.S.C. § 1441 because jurisdiction of this action exists in this Court by reason of diversity. More specifically, Plaintiff, a citizen of Indiana, has asserted a claim against Defendant, a Wisconsin Corporation with a principal place of business in Wisconsin, with an amount in controversy that exceeds \$75,000.

11. Defendant is filing a Notice of Removal contemporaneously herewith in the Allen Superior Court.

WHEREFORE, Defendant, Menards, by counsel, files its Notice of Removal, removed the above-action now pending against it in the Allen Superior Court to this Court forthwith.

Respectfully submitted,

CARSON LLP

By: s/ Eric M. Blume

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Attorneys for Defendant, Menard

CERTIFICATE OF SERVICE

I hereby certify that on April 18, 2022, a true and accurate copy of the foregoing document was filed electronically with the Court and was served via the Court's CM/ECF notification system on the following parties:

Michael A. Busching, Esq.
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s/ Eric M. Blume